

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SARA MCENROE,

Plaintiff,

v.

AT&T MOBILITY SERVICES LLC,

Defendant.

Case No. 15-cv-02190-HSG

**ORDER DENYING DEFENDANT  
LEAVE TO FILE MULTIPLE  
MOTIONS FOR SUMMARY  
JUDGMENT**


At the case management conference on September 29, 2015, Defendant AT&T Mobility Services LLC indicated that it wished to file an “early” motion for summary judgment focused solely on whether Plaintiff Sara McEnroe’s claim for unlawful termination in violation of public policy is barred by the statute of limitations. The Court ordered Defendant to file a letter brief by December 4, 2015 summarizing the evidence and argument it would present in support of any such early motion for summary judgment. *See* Dkt. No. 36.

The Court is in receipt of both Defendant’s timely filed letter brief and Plaintiff’s responsive letter brief filed December 9, 2015. Based on these filings, the Court finds that the record is not yet sufficiently developed to allow the Court to resolve the statute of limitations issue as a matter of law. Accordingly, the Court in its discretion DENIES leave to Defendant to file multiple motions for summary judgment. Of course, Defendant may file a motion for summary judgment, on any issue it thinks appropriate, at any time that complies with the Court’s Scheduling Order. *See* Dkt. No. 36. However, if Defendant does not prevail on that summary judgment motion, the Court will not allow it to file a second motion for summary judgment.

1 In light of the Court's ruling, the deadline to hear Defendant's early motion for summary  
2 judgment, currently set for January 28, 2016, is VACATED.

3 **IT IS SO ORDERED.**

4 Dated: December 14, 2015

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7 HAYWOOD S. GILLIAM, JR.  
8 United States District Judge  
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